

DOCKET NO.: 3:21-cv-580

APPROXIMATELY \$67,875 IN UNITED STATES CURRENCY SEIZED FROM NIRVAIR KHUNKHUNA ON JULY 13, 2021 AT THE CHARLOTTE-DOUGLAS INTERNATIONAL AIRPORT

DEFAULT JUDGMENT

THIS MATTER is before the Court on the United States of America's Motion for Default Judgment in this case. For good cause shown, the Court will GRANT the Motion and enter this Default Judgment. The Court FINDS AS FOLLOWS:

BACKGROUND

On October 28, 2021, the United States filed a Complaint (Doc. 1) against the defendant \$67,875 in United States Currency captioned above (“the Currency”). The Complaint alleged that the Currency constituted money furnished or intended to be furnished by any person in exchange for a controlled substance or listed chemical in violation of 21 U.S.C § § 841 and/or 846, and was therefore subject to forfeiture.

From November 3, 2021 through December 2, 2021, pursuant to Federal Rules of Civil Procedure, Supplemental Rules for Admiralty or Maritime Claims and Asset Forfeiture Actions, Rule G(4)(a), the Government provided Notice by Publication (Doc. 5) of this action. Further, the Government mailed direct notice (Doc. 4) of the Complaint to the following individuals:

- Nirvair Khunkhuna
- Leslie M. Sammis, Esq., Counsel for Nirvair Khunkhuna

- Arvin Panu.

Notice of the forfeiture of the Currency has been properly published and directly provided, there are no claims as to the Currency, and the time for filing claims has expired.

LEGAL CONCLUSIONS

Fed. R. Civ. P. 55 (b)(2) provides for entry of the requested Default Judgment by the Court. Here, the United States has provided notice of forfeiture in accordance with the Federal Rules of Civil Procedure, Supplement Rules for Admiralty or Maritime Claims and Asset Forfeiture Actions, Rule G. Further, no individuals or entities have filed claims and the time-period for filing claims has expired. Finally, the Clerk has issued an Entry of Default. Therefore, the requested Default Judgment is appropriate.

BASED ON THE FOREGOING FINDINGS, THE COURT CONCLUDES that the Government is entitled to a Judgment of by Default against the Defendant Property.

IT IS HEREBY ORDERED, ADJUDGED, AND DECREED THAT:

1. The Government's Motion for Default Judgment is hereby GRANTED.
2. Any and all right, title, and interest of all persons in the world in or to the following Defendant Property is hereby forfeited to the United States, and no other right, title, or interest shall exist therein:

Approximately \$67,875 in U.S. Currency seized from Nirvair Khunkhuna on July 13, 2021 at Charlotte-Douglas International Airport.

Signed: January 19, 2022



Frank D. Whitney
United States District Judge

